

ENTERED

November 14, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MANUEL QUINONES JR,

Plaintiff,

VS.

JOE FRANK GARZA, *et al*,

Defendants.

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CIVIL ACTION NO. 2:19-CV-190

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DISMISS CASE**

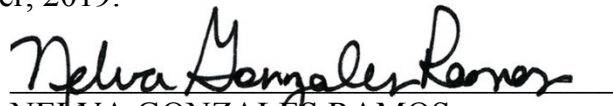
On October 2, 2019, United States Magistrate Judge B. Janice Ellington issued her “Memorandum and Recommendation to Dismiss Case” (D.E. 15). Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 15), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, this action is

DISMISSED WITH PREJUDICE as frivolous until such time as Plaintiff satisfies the conditions set forth in *Heck v. Humphrey*, 512 U.S. 477 (1994). Because this dismissal meets the requirement of a “strike” for purposes of 28 U.S.C. § 1915(g), the Clerk of the Court is directed to forward a copy of the Memorandum and Recommendation to the Manager of the Three Strikes List for the Southern District of Texas at Three_Strikes@txs.uscourts.gov.

ORDERED this 14th day of November, 2019.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE